



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**AUG 08 2018**

Kim Carver

Mandeville, LA 70471

RE: MUR 7400

Dear Ms. Carver:

The Federal Election Commission reviewed the allegations in your complaint received on May 30, 2018. On August 1, 2018, based upon the information provided in the complaint, and information provided by the respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Jim Francis for Congress and Nicole Francis in her official capacity as treasurer and Jim Francis, and close its file in this matter. Accordingly, the Commission closed its file in this matter on August 1, 2018. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", written over a faint, dotted background.

BY: Jeff S. Jordan  
Assistant General Counsel

Enclosure  
General Counsel's Report

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT**

**MUR: 7400**

**Respondents:** Jim Francis for Congress  
and Nicole Francis, as Treasurer  
("the Committee"),<sup>1</sup>  
Jim Francis

**Complaint Receipt Date:** May 30, 2018

**Response Date:** June 28, 2018

**EPS Rating:**

**Alleged Statutory**

**52 U.S.C. §§ 30102(e)(1), 30104(a)(1), (b)**

**Regulatory Violations:**

**11 C.F.R. §§ 101.1(a), 104.3(b)(2), 104.14(a), 104.18(g)**

The Complaint alleges that Francis and the Committee violated the Act and Commission regulations by failing to (1) timely file a Statement of Candidacy, (2) properly report disbursements, debts and obligations, or in-kind contributions for assorted campaign expenses, and (3) have the Committee's treasurer sign its 2018 April Quarterly Report. Respondents state that Francis filed a Statement of Candidacy on February 22, 2018, but was informed on May 14, 2018, by a third party that it was not on the Commission's website, so Francis filed an amended Statement of Candidacy that same day. Respondents admit that the Committee inadvertently omitted disbursements on its initial 2018 April Quarterly Report and that its treasurer did not sign that report. They state that the Committee's Amended 2018 April Quarterly Report, filed June 22, 2018, corrected both errors.<sup>2</sup>

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These

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<sup>1</sup> Jim Francis is a candidate for the U.S. House of Representatives for Louisiana's First Congressional District. Jim Francis for Congress is his principal campaign committee.

<sup>2</sup> The Respondents do not indicate whether the candidate was authorized to sign the Committee's 2018 April Quarterly Report. See 11 C.F.R §§ 102.7(a), 104.14(a), 104.18(g). Instead, the Committee states the original signature was a "clerical error." The amended report disclosed \$883.63 in disbursements, none of which were disclosed on the original report.

criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, the relatively modest amounts at issue, and the remedial actions taken by Respondents, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

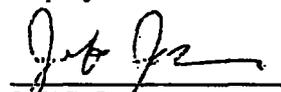
Lisa J. Stevenson  
Acting General Counsel

Kathleen M. Guith  
Associate General Counsel

July 18, 2018  
Date

BY:

  
Stephen Gura  
Deputy Associate General Counsel

  
Jeff S. Jordan  
Assistant General Counsel

  
Kristina M. Portner  
Attorney